## TRANSMITTAL FORM

| Application No.:      | 09/894,422     |
|-----------------------|----------------|
| Filing Date:          | June 28, 2001  |
| First Named Inventor: | Wright et al.  |
| Group Art Unit        | 2152           |
| Examiner:             | To be assigned |
| Docket No.            | EMC-00-067     |
|                       |                |

|  |  |                                    |                                   | Examiner:                          |  | To be assigned                          |             |
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| Total Number of Pages in this Submission: 4  |  | Docket No.                         |                                   | EMC-00-067                         |  |   |             |
| ENCLOSURES (check all that apply)  |  |                                    |                                   |                                    |  |   |             |
|  | Fee Authorization for the Commissioner to charge Deposit Account No. 05-0889 (in duplicate). | Assignment Recordation Cover Sheet |                                   |                                    | Petition for Revival Unintentionally Abandoned Application [37 CFF 1.137(b)] |   |             |
|  | Itility Patent Application   |                                    | Declarati<br>Attorney             | ion/Power of                       |  | Continued Prosecution Application (CPA) | م           |
|  | Amendment/Response to Non Final OA   |                                    | Associat                          | e Power of Attorney                |  | Issue Fee Payment Transmittal           | ?<br>\      |
|  | After Final  |                                    | Attorney                          | on of Power of                     |  | Express Abandonment Request             |             |
|  | Affidavits/Decl.  Extension of Time Request for 1 Month (in duplicate)                       |                                    | Formal I<br>Letter to<br>Draftspe | Official                           |  | Terminal RESCEIVE                       |             |
| ⊠  | IDS Form 1449A   |                                    |                                   | PTO 948, "Notice person's Patent   |  | Status Inquiry Technology Center 2      | 10 <b>0</b> |
| ⊠  | Information Disclosure<br>Statement  |                                    |                                   | Copy of Priority                   | ⊠  | Certificate of First Class<br>Mailing   | أتشده فسند  |
|  | Response to Missing<br>Parts/Incomplete<br>Application                                       | ⊠<br>,367                          | Addition<br>,935 ,192             | nal Enclosures:<br>548             |  | Certificate of Express Mail<br>Mailing  |             |
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| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT  |  |                                    |                                   |                                    |  |   |             |
| Qt. 4, 2002 Pobel Ken Perha  |  |                                    |                                   |                                    |  |   |             |
| Date   | - 11   |                                    |                                   | ert Kevin Perkins (F               | Reg. N   | (o. 36,634)                             |             |
|  |  |                                    |                                   | C Corporation ce of the General Co | ounsel   |   |             |
|  | (508) 435-1000, ext. 76985   | i                                  |                                   | arkwood Avenue                     | 2102   |   |             |
| Fax:   | (508) 293-7189   | ,                                  | 7. 7.                             | kinton, MA 01748-9                 |  |   |             |
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| I here   | eby certify that this correspond   | ence is                            | being:                            |                                    |  |   |             |
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| Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6606.   |  |                                    |                                   |                                    |  |   |             |
| 10/4/02 Signature Oalanzola  |  |                                    |                                   |                                    |  |   |             |
| Linda Valanzola  |  |                                    |                                   |                                    |  |   |             |
| Typed or printed name of person signing certificate  |  |                                    |                                   |                                    |  |   |             |



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Wright et al.

Examiner:

To be assigned

Serial Number: 09/894,422

Art Unit:

2152

Filing Date:

June 28, 2001

Title: A SYSTEM AND METHOD FOR MANAGING REPLICATION SETS OF DATA

DISTRIBUTED OVER ONE OR MORE COMPUTER SYSTEMS

**Assistant Commissioner for Patents** Washington, DC 20231

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## INFORMATION DISCLOSURE STATEMENT

Technology Center 2100

Sir:

Applicants submit this statement in accordance with the duty of disclosure under 37 C.F.R. § 1.56 and 1.97. This statement is filed in accordance with 37 C.F.R. 1.97(b)(3), before mailing of a first office action on the merits.

Should the mailing of such a first office action have occurred prior to filing with this statement, Applicants then rely upon 37 C.F.R. 1.97(e)(1), and accordingly state "that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more that three months prior to the filing of the information disclosure statement."

Copies of the references together with a listing on form PTO 1449A are submitted herewith. Applicants respectfully solicit the Examiner's consideration of the cited references and entry thereof into the record of this application.

Applicants believe that no fees are due with this submission. However, if this is not the case, please charge any fees occasioned by this submission to Deposit Account 05-0889.

Respectfully submitted,

Robert Kevin Perkins, Reg. No. 36,634

Attorney for Applicant EMC Corporation

35 Parkwood Drive

Hopkinton, MA 01748-9103

508.435.1000

508.293.7189 Facsimile

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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| Applicati n Number     | 09/894,422       |  |  |  |  |
| Filing Date            | June 28, 2001    |  |  |  |  |
| First Named Inventor   | Wright et al     |  |  |  |  |
| Art Unit               | 2152             |  |  |  |  |
| Examiner Name          | To be determined |  |  |  |  |
| Attorney Docket Number |                  |  |  |  |  |

|   |          |   | U.S. PATE                               | ENT DOCUMENTS                                      |   |
|---|----------|---|---|--|---|
| Examiner<br>Initials                    |          | Document Number Number - Kind Code <sup>2</sup> (if known | Publication Date<br>MM-DD-YYYY          | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|   |          | us-5,928,367  | 07-27-1999                              | Nelson et al                                       |   |
|   |          | us-5,889,935  | 03-30-1999                              | _Ofek_et_al  |   |
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| FOREIGN PATENT DOCUMENTS                |                          |   |  |  |   |          |  |  |  |
|---|--------------------------|---|--|--|---|----------|--|--|--|
| Examiner<br>Initials                    | Cite<br>No. <sup>1</sup> | Foreign Patent Document  Country Code 3 - Number 4 - Kind Code 5 (# known)  | Publication Date<br>MM-DD-YYYY   | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | Т6       |  |  |  |
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| Examiner  | Date           |  |
| Signature | <br>Considered |  |
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.